

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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CIVIL REVISION PETITION No.4260 of 2015

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ORDER:

This revision is preferred by the contestant in O.P.No.18 of 2014. The 1st respondent herein is a voter of Tandur Municipality filed O.P challenging election of the petitioner herein.

While showing the petitioner herein as an opposite party to the election O.P., the unsuccessful contestants at the election were also shown as respondents to the O.P. The petitioner has raised an objection that, since no relief is claimed against the other two respondents, who are defeated candidates, they should be deleted from the array of the parties in the O.P. That application has been dismissed. Against that order, the present revision is filed.

A voter of a constituency, if law permits him to contest, the result of the election he can do so by following the procedure prescribed for challenging any such election. Array of the contestants at the election on the opposite side is in accordance with the basic principle of providing a fair opportunity to contest the veracity of the statements found in the election petition to all such candidates. The defeated candidates in certain election cannot be described as unnecessary or improper parties to such an election dispute. Therefore, the dismissal of the application moved by the petitioner for deleting from the array of the parties in the election O.P., defeated candidates, has rightly been dismissed by the election Tribunal.

I do not find any infirmity in exercise of jurisdiction carried out by the election Tribunal warranting interference at my hands. Hence, this C.R.P. is meritless and accordingly, it is dismissed. No costs.

Learned counsel for the 1st respondent is at liberty to file appropriate memo before the election Tribunal indicating that C.R.P No.4260 of 2015 has already been dismissed by this Court today. However, the election O.P. may be decided on

priority basis, preferably, before the end of December, 2015.

Miscellaneous petitions, if any, pending this civil revision petition shall stand closed.

NOOTY RAMAMOHANA RAO, J

NOVEMBER 20, 2015

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DATE: 20.11.2015

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